

M05-68948

Klamath County, Oregon

11/14/2005 10:23:59 AM

Pages 3 Fee: \$31.00

After Recording Return To;
Randall Simonson @ Washburn JV
2861 Pinecrest Court
Medford, Or 97504

EASEMENT

This agreement made and entered into this 14 day of November, 2005, by and between **PAMELA MCDONALD ERBES**, an individual, hereinafter called the "Grantor", and **RANDALL D. SIMONSON** ON behalf of "Washburn JV" an Oregon Partnership hereafter called the "Grantee".

WITNESSETH:

Whereas the Grantor is the record owner of the following described real property to wit;

PARCEL 1 and Parcel 3 as contained in LAND PARTITION 34-04 BEING A RE-PLAT OF "LAND PARTITION 46-02" SITUATED IN THE NW 1/4 NW 1/4 OF SECTION 10, T39S, R9E W.M. KLAMATH COUNTY OREGON.

and has the unrestricted right to grant the easement hereinafter described relative to the real estate.

NOW, THEREFORE, in view of the premises and consideration, stated in terms of dollars is \$ 0.00 However, the actual consideration consists of other property or value given which is the whole consideration, the receipt of which is acknowledged by the Grantor, it is agreed:

Grantor hereby grants, assigns and sets over to the Grantee, grantee's heirs, successors and assigns and for the benefit of Parcel 3 of LAND PARTITION 34-04 described above, an easement upon and over the SOUTHERN most ten feet of Parcel 1, LAND PARTITION 34-04 described above for the installation and maintenance of a water line over, across and through the above described property and for the benefit of the real property more fully described as follows:

Parcel 3, LAND PARTITION 34-04 KLAMATH COUNTY, OREGON

The Grantee, grantee's heirs, successors and assigns shall have all rights of ingress and egress to and from the real property necessary for the installation and maintenance of a water line over, across and through said property.

Grantee agrees to save and hold the Grantor harmless from any and all claims of third parties arising from the Grantee's use of the rights herein granted.

The period of this easement shall be perpetual, shall run with the land and shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto, but also their respective heirs, executors, administrators, assigns, and successors in interests.

IN WITNESS WHERE OF, THE PARTIES HAVE SET THEIR HANDS THE DAY AND YEAR
FIRST ABOVE WRITTEN.

By Pamela McDonald Erbes
PAMELA MCDONALD ERBES

Grantor

WASHBURN TRUST JV

By [Signature]
Randall D. Simonson, Partner

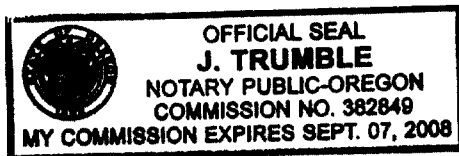
Grantee

STATE OF OREGON)

County of Jackson)

) ss.

Personally appeared Randall Simonson and acknowledged the foregoing instrument to be his voluntary act and deed. Before me this 11 day of NOV., 2005. ON BEHALF OF WASHBURN TRUST JV (R)



[Signature]

Notary Public for Oregon
My Commission Expires: 9-7-08

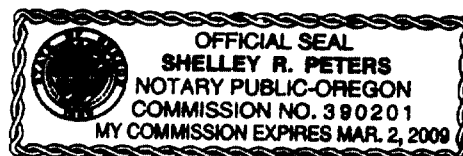
STATE OF OREGON)

County of Klamath)

) ss.

Personally appeared Pamela McDonald Erbes and acknowledged the foregoing instrument to be his voluntary act and deed. Before me this 14th day of November, 2005.

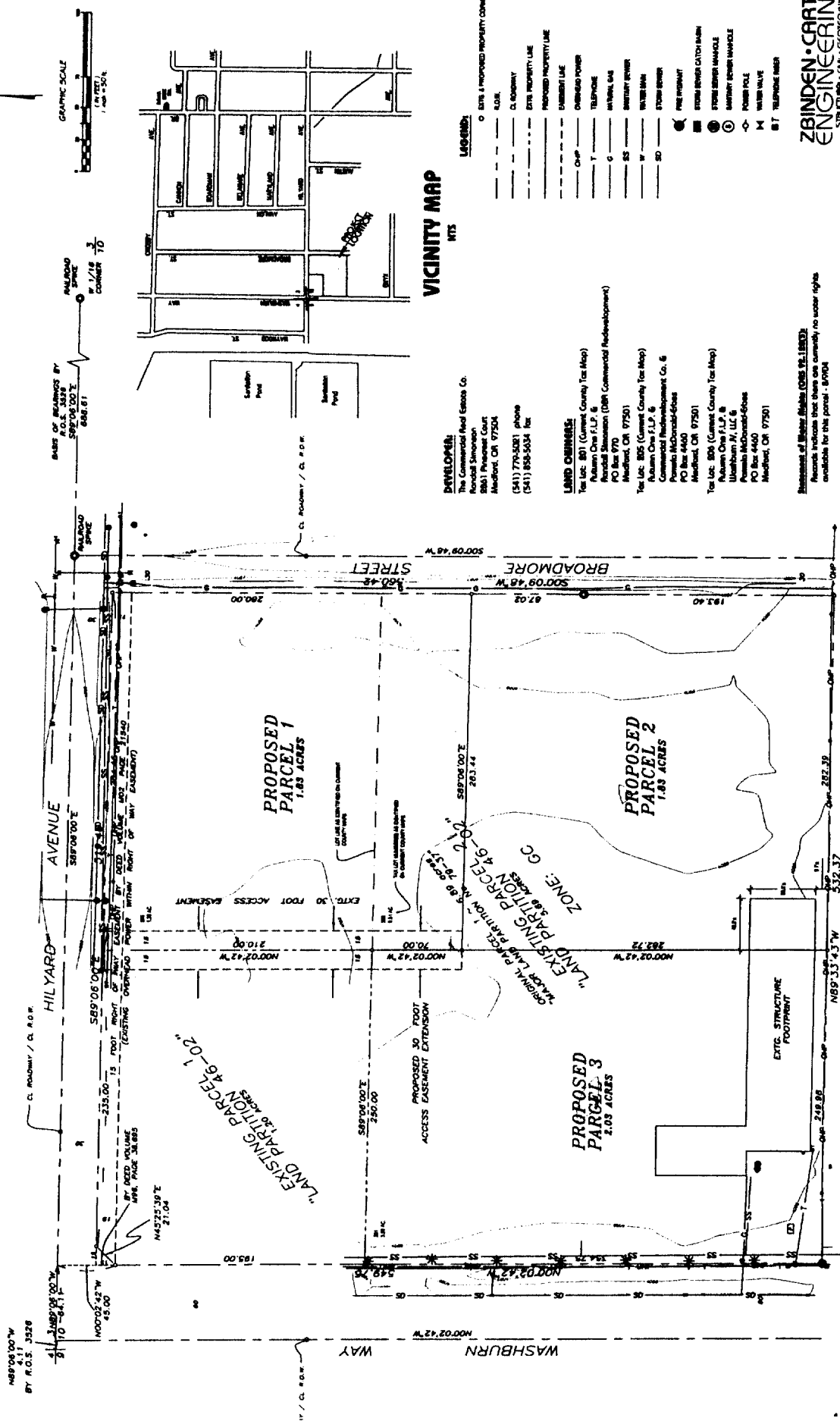
[Signature]
Notary Public for Oregon
My Comm. Exp. mar 2, 2009



BEING A RE-PLAT OF PARCEL 2 OF LAND PARTITION 46-02
SITUATED IN THE NW1/4 NW1/4 OF SECTION 10, T 39 S, R 9 E, WM.
KLAMATH COUNTY, OR

FRAGMENTS OF RECORD (NOT IDENTIFIED ON NPP)

VOLUME
REES, PAGE 91, DESSED RECORDS OF
HUMANITY COUNTY, OREGON
FOR
DITCHES, OWNERS AND PIPE LINE OVER, UNDER OR ACROSS FOR PURPOSES OF DIVERTING
AND DELIVERING WATER FOR IRRIGATION AND DOMESTIC USE TO RICHMOND PROPERTY
VOLUME
MAY, PAGE 87119, DESSED RECORDS OF
HUMANITY COUNTY, OREGON
FOR
PROPERTY ACCESS AND REMOVAL OF A REPRESENTATIVE, NATURE THAT
BURDEN AND BENEFIT BOTH PARCELS 1 & 2 OF LAND PRESENTION 44-26

[illegible]

Statement of Water Rights (ORS 92.1203):
Records indicate that there are currently no water rights available for this parcel - B/PD4

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